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09/607,879	06/30/2000	Michael A. Puscar	00-40174-US	9994

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EXAMINER

NGUYEN, CINDY

ART UNIT PAPER NUMBER

2171

DATE MAILED: 11/06/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

Application No.

09/607,879

Applicant(s)

PUSCAR ET AL.

Examiner

Cindy Nguyen

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on 09/08/03.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 June 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

This is in response to amendment filed 09/08/03.

#### **1. Claim Rejections - 35 USC § 102**

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**2. Claims 1-17, and 20-25 are rejected under 35 U.S.C. 102(e) as being anticipate by Saylor et al. (U.S 6501832) (Saylor).**

In consideration of claims 1, 21, 22-25, Saylor disclose: A method and system of providing news relating to a specified subject to a subscriber (see col. 3, lines 31-41, Saylor), comprising the steps of:

(a) selecting a plurality of Web sites operated by content providers (col. 7, lines 32-47, Saylor) and relating to a category to which the specified subject relates (see col. 7, lines 24-30, Saylor);

b) automatically determining the relevancy of at least one Web page in each selected Web site by scanning for words relating to the specified subject (see col. 8, lines 54 to col. 9, lines 18, Saylor);

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(c) automatically determining the content type of at least one Web page in each selected Web site by scanning at least one Web page for words indicating content type (see col. 8, lines 37-53, Saylor);

(d) compiling a list of relevant Web pages based only on the results of steps (b) and (c) (see col. 14, lines 46-62, Saylor);

(e) providing the compiled list to the subscriber (see col. 16, lines 63 to col. 17, lines 4, Saylor), wherein the subscriber is a party other than one of said content providers (see col. 16, lines 8-27, Saylor);

wherein the list of relevant web pages includes only those web pages that are determined both to be relevant in step (b) and not to be advertisements in step (c) (col. 9, lines 42-58, Saylor);

a processor (43, fig. 7 and corresponding text, Saylor);

a memory connected to said processor (84, fig. 7 and corresponding text, Saylor);

a display in communication with said processor (86, fig. 7 and corresponding text, Saylor);

in put device in communication with said processor (98, fig. 7 and corresponding text, Saylor);

As per claim 2, the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Saylor disclose: further comprising the step of: (f) prompting the subscriber to specify a subject (see col. 8, lines 54 to col. 9, lines 18, Saylor).

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Regarding claim 3, the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Saylor disclose: wherein the plurality of Web sites is selected by, manually categorizing Web sites into categories (see col. 3, lines 30-41, Saylor).

Regarding claim 4, the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Saylor disclose: wherein the plurality of Web sites is selected by automatically scanning Web sites for words indicating the category to which each Web site relates (see col. 8, lines 37-53, Saylor).

Regarding claim 5, the limitations of this claim have been noted in the rejection of claim 4. Applicant's attention is directed to the rejection of claim 4 above. In addition, Saylor disclose: wherein each scanned Web site is assigned to at most one category (see col. 8, lines 37-53, Saylor).

Regarding claim 6, the limitations of this claim have been noted in the rejection of claim 4. Applicant's attention is directed to the rejection of claim 4 above. In addition, Saylor disclose: wherein each scanned Web site may be assigned to one or more one categories (see col. 8, lines 37-53, Saylor).

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Regarding claim 7, the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Saylor disclose: wherein the plurality of Web sites is selected based on the frequency with which relevant links have been located in prior iterations of the method with respect to the specified subject (see col. 17, lines 61 to col. 18, lines 7, Saylor).

Regarding claim 8, the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Saylor disclose: wherein the plurality of Web sites is selected based on the frequency with which relevant links have been located in prior iterations of the method with respect to the same category (see col. 17, lines 61 to col. 18, lines 7, Saylor).

Regarding claim 9, the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Saylor disclose: wherein the words relating to the specified subject comprise at least one word contained in the specified subject (see col. 14, lines 46-62, Saylor).

Regarding claim 10, the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Saylor disclose: wherein the words relating to the specified subject comprise words provided by the subscriber (see col. 14, lines 63 to col. 14, lines 5, Saylor).

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Regarding claim 11, the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Saylor disclose: further comprising the steps of: (f) compiling a list of words based on the frequency with which such words have appeared in relevant links located in prior iterations of the method with respect to the same category (col. 17, lines 61 to col. 18, lines 7, Saylor); and

(g) prompting the subscriber to select one or more words from the compiled list, wherein the words relating to the specified subject comprise words selected by the subscriber in step (f) (see col. 14, lines 63 to col. 15, lines 5, Saylor).

Regarding claim 12, the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Saylor disclose: wherein the list of relevant Web pages is compiled in step (d) by including only those Web pages that are determined both to be relevant in step (b) and to be of a news content type in step (c) (see col. 14, lines 46-62, Saylor).

Regarding claim 13, the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Saylor disclose: wherein the list of relevant Web pages is compiled in step (d) by including only those Web pages that are determined both to be relevant in step (b) and not to be advertisements in step (c) (col. 26, lines 16-40, Saylor).

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Regarding claim 14, the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Saylor disclose: wherein the list of web pages provided to the subscriber in step (e) comprises a hyperlink to each Web page in the list (see col. 4, lines 62 to col. 5, lines 8, Saylor).

Regarding claim 15, the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Saylor disclose: wherein the list of Web pages is provided to the subscriber in step (e) by electronic mail ("email") (see col. 12, lines 20-43, Saylor).

Regarding claim 16, the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Saylor disclose: wherein the list of Web pages is provided to the subscriber in step (e) over the Web (see col. 14, lines 1-22, Saylor).

Regarding claim 17, the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Saylor disclose: wherein the list of Web pages is provided to the subscriber in step (e) over the Internet (see col. 14, lines 1-22, Saylor).

Regarding claims 18 and 19, the limitations of these claims have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Saylor disclose: wherein the list of Web pages is provided to the subscriber in step (e)



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over an intranet (col. 14, lines 1-22), the list of Web pages is provided to the subscriber in step (e) by wireless communication (col. 14, lines 1-22).

Regarding claim 20, the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Saylor disclose: wherein the at least one Web page scanned in each site comprises the index page of the Web site (see col. 18, lines 12-30, Saylor).

**3. Claims 1, 21, 22-25 are also rejected under 35 U.S.C. 102(b) as being anticipate by Sergey et al. "The Anatomy of a large-scale hypertextual web search engine".**

In consideration of claims 1, 21, 22-25, Saylor disclose: A method and system of providing news relating to a specified subject to a subscriber, comprising the steps of:

(a) selecting a plurality of Web sites operated by content providers and relating to a category to which the specified subject relates (page 3 at the fifth paragraph: "The google search engine...search results", Sergey);

b) automatically determining the relevancy of at least one Web page in each selected Web site by scanning for words relating to the specified subject (page 3 at the sixth paragraph: "The citation ...a great deal", Sergey);

(c) automatically determining the content type of at least one Web page in each selected Web site by scanning at least one Web page for words indicating content type (page 11 at 4.5 searching and 4.5.1 Ranking system, Sergey);

(d) compiling a list of relevant Web pages based only on the results of steps (b) and (c) (page 12, Sergey);

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(e) providing the compiled list to the subscriber, wherein the subscriber is a party other than one of said content providers (see page 12, Sergey);

wherein the list of relevant web pages includes only those web pages that are determined both to be relevant in step (b) and not to be advertisements in step (c) (page 11, last paragraph, Sergey);

a processor (URL server, URL resolver, in figure at page 6, Sergey);

a memory connected to said processor (repository, in figure at page 6, Sergey);

a display in communication with said processor (figure 4 at page 12, Sergey);

in put device in communication with said processor (page 13, last paragraph, Sergey);

#### **4. *Response to Arguments (09/08/03)***

Applicant's arguments have been considered, but are moot in view of the new ground(s) of rejection.

#### **5. *Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 703-305-4698. The examiner can normally be reached on M-F: 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7240 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

*cn*

Cindy Nguyen  
October 29, 2003

*Safet Metjahic*

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